

REMARKS

As a preliminary matter, it is respectfully submitted that the finality of the outstanding Office Action is premature. Specifically, the Examiner has set forth a new ground of rejection against claim 5 which was not necessitated by amendment. In the Office Action dated June 10, 2005, the Examiner alleged that Kweon et al. disclosed the limitation of claim 5 under § 102, but in the outstanding Office Action the Examiner now admits that Kweon et al. does not disclose the limitation of claim 5 and therefore relies on newly cited Cutting et al. in a new ground of rejection under § 103. Moreover, as the Examiner has maintained the same rejection of claim 1 under § 102 over Kweon et al., it is respectfully submitted that the amendment to claim 1 did not necessitate the new ground of rejection to claim 5. Based on the foregoing, it is respectfully requested that the finality of the outstanding Office Action be withdrawn, and for this amendment to be treated as a response to a non-final Office Action.

Claim 19 is objected to for minor informalities. It is respectfully submitted that the enclosed amendment obviates the alleged informalities. The Examiner's objection to the phrase "wherein a portion of the reverse face of the [multi-layer] lead protrudes from a principal plane of the piece of sealing resin" is not understood. The fact that the lead is a multi-layer lead does not necessitate that all of the layers protrude from a principal plane of the piece of sealing resin. The claim clearly states a portion of the reverse face of the multi-layer lead; so as to reference a portion of the *collective* lead 10a (exemplary embodiment shown in Figure 10 of Applicants' drawings), which would embody one or more of the layers making up the multi-layer lead as the protruding portion. In view of the foregoing comments and enclosed amendment, it is respectfully requested that the objection to claim 19 be withdrawn.

Claims 1 and 19 are independent and stand rejected under 35 U.S.C. § 102 as being anticipated by Kweon et al.. This rejection is respectfully traversed for the following reasons.

Claim 1 recites in pertinent part, “a lead having a portion which protrudes from the groove portion *laterally onto the surface of the lead frame body ...*” (emphasis added). One exemplary embodiment of this feature is encircled in the attached marked-up copy of Figure 9 of Applicants’ drawings. In contrast, as shown in Figure 12, the alleged lead 24 of Kweon et al. merely protrudes vertically from the groove portion without any lateral portion.

In the Response to Arguments section of the outstanding Office Action, the Examiner merely concludes that Kweon et al. discloses the aforementioned feature, and references Figure 11 and col. 5, lines 15-18 thereof to substantiate his conclusion. However, neither Figure 11 nor col. 5, lines 15-18 disclose the aforementioned feature. Indeed, col. 5, lines 15-18 of Kweon et al. merely describes the lead material but is completely silent as to the structural arrangement of the lead 24 (“column lead material 20 is prepared in order to manufacture a package having column leads. The column lead material 20 can be made from electrically conductive metals such as a copper or a copper alloy”). In this regard, the Examiner’s reliance on col. 5, lines 15-18 is not understood.

Moreover, it appears that the Examiner has misinterpreted the disclosure of Kweon et al.. Specifically, the Examiner relies on element 40 shown in Figure 4 of Kweon et al. as the claimed lead frame body and relies on element 24 and 24a shown in Figure 11 of Kweon et al. as the claimed lead and groove portion, respectively. The Examiner should note, however, that the “polyimide film 30 and the metal layer 40 on the polyimide film 30 are simultaneously removed” (col. 6, lines 1-5) as shown in Figure 11, whereby the alleged leads 24 are completely separated

from the alleged groove portion 24a. Indeed, it is the removal of the polyimide film 30 and metal layer 40 which forms the alleged groove portion 24a as defined by the lead 24. However, when connected, the alleged lead 24 does NOT have a portion which protrudes from the groove portion *laterally* onto the surface of the alleged lead frame body 40. This is clearly shown in the marked-up copy of Figure 10 of Kweon et al. attached hereto.

Claim 19 recites in pertinent part, "a portion of the reverse face of the lead protrudes from a principal plane of the piece of sealing resin, the first conductor layer covering an *entire* surface of said portion..." (emphasis added). One exemplary embodiment of this feature is shown in the marked-up copy of Figure 10 of Applicants' drawings (attached hereto) by which the internal conductor layers can be sealed from exposure to air (prevent oxidation, etc.), etc., by the first conductor layer 3a (*see, e.g.*, page 26, lines 17-23 of Applicants' specification; and pages 24-27 generally for the associated benefits enabled by such a construction). In contrast, as shown in the marked-up copy of the cover Figure of Kweon et al. (attached hereto), the alleged first conductor layer 150 of Kweon et al. does not cover the side surfaces of the protruding portion of the alleged lead 150,24,40, and therefore does not cover the entire surface of the protruding portion so as to leave the alleged second conductor layer exposed.

As anticipation under 35 U.S.C. § 102 requires that each and every element of the claim be disclosed, either expressly or inherently (noting that "inherency may not be established by probabilities or possibilities", *Scaltech Inc. v. Retec/Tetra*, 178 F.3d 1378 (Fed. Cir. 1999)), in a single prior art reference, *Akzo N.V. v. U.S. Int'l Trade Commission*, 808 F.2d 1471 (Fed. Cir. 1986), based on the forgoing, it is submitted that Kweon et al. does not anticipate the independent claims, nor any claim dependent thereon.

Under Federal Circuit guidelines, a dependent claim is nonobvious if the independent claim upon which it depends is allowable because all the limitations of the independent claim are contained in the dependent claims, *Hartness International Inc. v. Simplimatic Engineering Co.*, 819 F.2d at 1100, 1108 (Fed. Cir. 1987). Accordingly, as the independent claims are patentable for the reasons set forth above, it is respectfully submitted that all claims dependent thereon are also patentable. In addition, it is respectfully submitted that the dependent claims are patentable based on their own merits by adding novel and non-obvious features to the combination. In this regard, it is respectfully requested that the withdrawn claims which are dependent, directly or indirectly, on claims 1 and 19 be rejoined as being dependent on an allowable claim.

Based on the foregoing, it is respectfully submitted that all pending claims are patentable over the cited prior art. Accordingly, it is respectfully requested that the rejection under 35 U.S.C. § 102 be withdrawn.

CONCLUSION

Having fully and completely responded to the Office Action, Applicants submit that all of the claims are now in condition for allowance, an indication of which is respectfully solicited. If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, the Examiner is requested to call Applicants' attorney at the telephone number shown below.

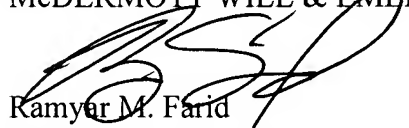
To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper,

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including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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